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10 Attorneys for Plaintiff
 11 UNITED STATES OF AMERICA

12 UNITED STATES DISTRICT COURT

13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,)	CV 11-6174-JAK (OPx)
)	
15 Plaintiff,)	
)	
16 v.)	AMENDED CONSENT JUDGMENT OF
)	FORFEITURE
17 \$75,840.05 in U.S. CURRENCY)	
18 AND \$21,005.00 in U.S.)	
19 CURRENCY,)	
)	
20 Defendants.)	
)	
21)	
22 ELIZABETH SARDENETAS AND)	
MISRAI ANDAYA,)	
)	
23 Claimants.)	
24)	

25 This action was filed on July 26, 2011. Notice was given
 26 and published in accordance with law. Claimants Elizabeth
 27 Sardenetas and Misrai Andaya (collectively "Claimants") filed the
 28 only claims to the defendants \$75,840.05 in U.S. currency

1 (comprised of \$63,033.91, \$9,368.50 and \$3,437.64 seized on or
2 about August 19, 2010 from Bank of America account numbers *****-
3 *8684, *****-1523 and *****-1373, respectively, in the name of
4 Sardenetas dba Sardenetas Cosmetics); and \$21,005.00 in U.S.
5 currency (collectively the "defendant currency"). No other
6 statements of interest or answers have been filed, and the time
7 for filing such statements of interest and answers has expired.
8 Plaintiff and Claimants have reached an agreement that is
9 dispositive of the action. The parties hereby request that the
10 Court enter this Consent Judgment of Forfeiture.

11 **WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:**

12 A. This Court has jurisdiction over this action
13 pursuant to 28 U.S.C. §§ 1345 and 1355 and over the parties
14 hereto.

15 B. The Complaint for Forfeiture states a claim for
16 relief pursuant to 21 U.S.C. § 881(a)(6).

17 C. Notice of this action has been given in accordance
18 with law. All potential Claimants to defendants \$75,840.05 in
19 U.S. currency and \$21,005.00 in U.S. currency other than
20 Claimants are deemed to have admitted the allegations of the
21 Complaint. The allegations set out in the Complaint are
22 sufficient to establish a basis for forfeiture.

23 D. The United States of America shall have judgment
24 as to \$84,038.91 of the defendant currency, together with all
25 interest earned by the government on \$84,038.91 of the defendant
26 currency, and no other person or entity shall have any right,
27 title or interest therein.

28 E. To the extent said funds have not already been

1 returned to Claimant pursuant to the consent judgment of
2 forfeiture entered October 19, 2011, \$12,806.14 of the defendant
3 currency, together with all interest earned by the government on
4 that amount since seizure, shall be paid to Claimants not later
5 than forty-five (45) from the date of the entry of this judgment
6 by electronic transfer directly into the account entitled "Paul
7 L. Gabbert, Client Trust Account." If he has not already done
8 so, Claimants' counsel agrees to provide appropriate financial
9 institution account information within 10 days of execution of
10 this consent judgment.

11 F. Claimants hereby release the United States of
12 America, its agencies, agents, and officers, including employees
13 and agents of the United States Drug Enforcement Administration,
14 from any and all claims, actions or liabilities arising out of or
15 related to this action, including, without limitation, any claim
16 for attorney's fees, costs or interest which may be asserted on
17 behalf of the Claimants, whether pursuant to 28 U.S.C. § 2465 or
18 otherwise.


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1 G. The court finds that there was reasonable cause
2 for the seizure of the defendant currency and institution of
3 these proceedings. This judgment shall be construed as a
4 certificate of reasonable cause pursuant to 28 U.S.C. § 2465.

5
6 Dated: December 2, 2011

7 
8 THE HONORABLE JOHN A. KRONSTADT
UNITED STATES DISTRICT JUDGE

9 **Approved as to form and content:**

10 Dated: November 21, 2011 ANDRÉ BIROTTE JR.
11 United States Attorney
12 ROBERT E. DUGDALE
Assistant United States Attorney
13 Chief, Criminal Division
STEVEN R. WELK
Assistant United States Attorney
14 Chief, Asset Forfeiture Section

15 /s/
16 JENNIFER M. RESNIK
Assistant United States Attorney
Asset Forfeiture Section
17
18 Attorneys for Plaintiff
United States of America

19 DATED: November_21, 2011

20 /s/
21 PAUL GABBERT
Attorney for Claimants
22 ELIZABETH SARDENETAS and
23 MISRAI ANDAYA
24
25
26
27
28